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**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	2:09-CV-1697-RLH (LRL)
)	
\$22,038.49 IN UNITED STATES CURRENCY;)	
\$5,664.61 IN UNITED STATES CURRENCY;)	
and \$2,078.12 IN UNITED STATES)	
CURRENCY,)	
)	
Defendants.)	
)	

**UNITED STATES' UNOPPOSED MOTION TO
 CONTINUE THE DATE TO FILE ITS COMPLAINT FOR
FORFEITURE *IN REM* IN THE ABOVE-CAPTIONED MATTER
 (Ninth Request)**

The United States of American ("United States"), by and through Daniel G. Bogden, United States Attorney for the District of Nevada and Michael A. Humphreys, Assistant United States Attorney, respectfully move this Court to grant an extension of time, until and including April 3, 2012, to allow the United States to files its forfeiture complaint against the following allotments of seized cash:

\$22,038.49 in United States Currency;
 \$5,664.61 in United States Currency; and
 \$2,078.12 in United States Currency.

1 The Government's Complaint is currently due on December 5, 2011. Claimant, Theo Spyer,
2 through his counsel, Laurence J. Semenza, consents to this motion. Theo Spyer and numerous of
3 his associates have been the focus of a historical state/federal crime investigation into their activities
4 of alleged unlawful gaming activities in Nevada and elsewhere. Generally speaking, the
5 Government has developed information that Spyer and others were operating an illegal book-making
6 operation from approximately December, 2008, through approximately April, 2009, all in violation
7 of 18 United States Code, Section 1084 and other federal anti-gambling statutes. A principal situs
8 of that illegal operation was Las Vegas, Nevada.

9 Spyer is recently aware of that investigation, and with his counsel, has been engaged in plea
10 negotiations with the Government in an endeavor to complete a universal disposition. Those
11 negotiations continue. In the meantime, the Government has a deadline, under the strictures of 18
12 United States Code, Section 983(a)(3)(A), to file its forfeiture complaint, regarding the above-
13 captioned allotments of currency, no later than December 5, 2011.

14 The afore-referenced plea negotiations will not be complete by the time the Government is
15 required to file its Complaint.

16 The Government, herewith, petitions this Court to extend the time for the Government to file
17 its civil complaint in the above-captioned matter, to facilitate a possible, if not likely, universal plea
18 disposition.

19 Under 18 United States Code, Section 983(a)(3)(A):

20 [T]he Government shall file a complaint for forfeiture in the manner set forth in the
21 Supplemental Rules for Certain Admiralty and Maritime Claims..., a court in the
22 district in which a complaint will be filed may extend the period for filing a
complaint for good cause shown or *upon agreement of the parties*. (Emphasis
added.)

23 A district court has the authority under Section 983(a)(3)(A) to extend the period for filing a Civil
24 Complaint for Forfeiture In Rem.

25 On December 2, 2011, Spyer's counsel, Lawrence Semenza, agreed to the extension of time

1 and authorized counsel for the United States to file this unopposed motion with this Court. Because
2 the parties have agreed that the Government should be allowed an extension of time to file its *In*
3 *Rem* Complaint, the Government respectfully asks this Court to grant its motion.

4 This motion is not submitted solely for the purpose to delay or for any other improper
5 purpose.

6 WHEREFORE, pursuant to 18 United States Code, Section 983(a)(3)(A), the United States
7 moves this Court to grant its motion to extend the time for the United States to file its civil complaint
8 in the above-captioned matter for an additional 120 days, or until Tuesday, April 3, 2012.

9 DATED this 5th day of December, 2011.


10 Respectfully submitted,

11 DANIEL G. BOGDEN

12 United States Attorney

13
14 /s/Michael A. Humphreys
15 MICHAEL A. HUMPHREYS

16
17
18 IT IS SO ORDERED:

19 
20 _____
21 UNITED STATES DISTRICT JUDGE

22 DATED: December 6, 2011
23
24
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